

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

NETLIST, INC.,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:22-cv-203-JRG
vs.	)	
	)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.;	)	
MICRON SEMICONDUCTOR	)	
PRODUCTS, INC.; MICRON	)	
TECHNOLOGY TEXAS LLC,	)	
	)	
Defendants.	)	

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**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF  
PLAINTIFF NETLIST, INC.'S MOTION FOR SUMMARY JUDGMENT OF  
NO ANTICIPATION AS TO THE '060 AND '160 PATENTS AND THAT 2012  
DESIGN REVIEW IS NOT PRIOR ART**

**I, Jason G. Sheasby, declare as follows:**

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist, Inc.’s Motion for Summary Judgment of No Anticipation as to the ’060 and ’160 Patents and that 2012 Design Review is not Prior Art. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

1. Attached as **Exhibit 1** is a true and correct excerpted copy of the Expert Report of Gary Woods, Ph.D. Regarding Invalidity & Other Issues related to U.S. Patent Nos. 8,787,060 and 9,318,160, dated October 4, 2023.

2. Attached as **Exhibit 2** is a true and correct excerpted copy of Appendix 1 regarding Hybrid Memory Cube Gen. 2 to the Expert Report of Gary Woods, Ph.D., dated October 4, 2023.

3. Attached as **Exhibit 3** is a true and correct copy of the Claim Construction Order, docket item 114 in Netlist v. Samsung, Case No. 2:21-cv-00463-JRG (E.D. Tex.), dated December 14, 2022.

4. Attached as **Exhibit 4** is a true and correct copy of United States Patent number 8,787,060 to Lee, granted July 22, 2014.

5. Attached as **Exhibit 5** is a true and correct copy of United States Patent number 9,318,160 to Lee, granted April 19, 2016.

6. Attached as **Exhibit 6** is a true and correct copy of the Claim Construction Order in this action, docket item 249, dated October 22, 2023.

7. Attached as **Exhibit 7** is a true and correct excerpted copy of the transcript of the deposition of Brent Keeth in this action, taken August 15, 2023.

8. Attached as **Exhibit 8** is a true and correct copy of the E80a Design Review document, produced at Bates numbers beginning MICNL203-00003200

9. Attached as **Exhibit 9** is a true and correct copy of the Joint Claim Construction Chart in this action, docket item 111-01, dated July 5, 2023

10. Attached as **Exhibit 10** is a true and correct excerpted copy of the Rebuttal Expert Report of Michael C. Brogioli, Ph.D. Regarding the Validity of U.S. Patents No. 8,787,060 and 9,318,160, dated October 30, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 14, 2023, in Los Angeles, California.

By /s/ Jason G. Sheasby  
Jason G. Sheasby